

### **REMARKS**

In the Office Action mailed 5/5/2005, Claims 1-3 and 10-12 were rejected as being anticipated by the prior art. Claims 4-9 were indicated as being allowable is amended so as not to be dependent upon rejected base claims.

In response, Applicant has herein amended Claims 1-12 and canceled Claim 11 in order to clarify the distinctions between the invention of the recited claims and the prior art. Applicant now traverses the claim rejections for the reasons set forth below.

#### **Patentability of Claims 1-3 and 10-12**

These claims stand rejected under 35 U.S.C. §102(b) as being anticipated by Abrahamson, et al. U.S. Patent No. 6,222,481 and McCoy, et al. U.S. Patent No. 5,867,118. Both of these patents disclose systems for classifying objects using radar. Abrahamson discloses this generally in the Abstract, and very specifically recites it in the claims. McCoy discloses that it performs the same function in the drawings, abstract and claims. The “pattern” that is “classified” by McCoy is not an analysis of any signal emanating from an unknown object, but rather the McCoy “pattern” is the return signal from reflected radar transmissions. The “pattern” is therefore a signal that is related to the radar cross-section of the object being “pinged.”

In contrast, Applicant's Amended Claims 1-3 and 10-12 recited a method and system for classifying electronic transmissions emanating from electronic devices. Clearly, Applicant's claimed invention is not responsive to the radar cross-section of the transmitting device; McCoy and Abrahamson classifications are not responsive to anything else but the radar cross-section. As such, not only do McCoy and Abrahamson not disclose each and

every limitation of Applicant's claimed design (as required by 35 U.S.C. §102(b)), but these two references aren't even in an analogous field to Applicant's invention. Furthermore, there is no suggestion from either reference related to a system for identifying unknown electronic transmitters by their electronic transmissions, so neither reference renders Applicant's claimed invention obvious, either alone or in combination.

### Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests that the application be reconsidered, the claims be allowed, and the case passed to issue.

Respectfully submitted,

STEINS & ASSOCIATES



Karl M. Steins  
Registration No. 40,186  
2333 Camino del Rio South  
Suite 120  
San Diego, California 92108  
Telephone: (619) 692-2004  
Facsimile: (619) 692-2003